

REMARKS

Applicants submit this Amendment in response to the Office Action mailed on October 30, 2008.

The claims have been amended as follows. Claims 2, and 49-51 have been canceled. Previously withdrawn claims 15-17, 36-39, 46 and 47 have been canceled. Following the present amendment, only claims 1 and 48, which claims have been indicated as being allowable, remain pending in the application.

Rejections of the Claims

I. Rejection under 35 U.S.C. §112, first paragraph (new matter)

The Examiner has rejected claims 49-51 under 35 U.S.C. §112, first paragraph, for containing matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants traverse the rejection of these claims on this ground.

Support for the subject matter of claims 49-51 is found in the specification, as indicated in the second paragraph on page 5 of the Amendment filed on July 21, 2008. However, in order to expedite issuance of a patent containing allowed claims 1 and 48, claims 49-51 have been canceled herein. The cancellation of claims 49-51 renders moot the rejection of these claims on this ground.

II. Rejection under 35 U.S.C. §112, second paragraph (indefiniteness)

The Examiner has rejected claims 2 and 49-51 under 35 U.S.C. §112, second paragraph as being indefinite. Applicants traverse the rejection of these claims on this ground and respectfully submit that, with the exception of the rejection of claim 50 on page 5 of the present Office Action, the Examiner is in error in rejecting these claims on this ground.

However, in order to expedite issuance of a patent containing allowed claims 1 and 48, claims 2, and 49-51 have been canceled herein. The cancellation of claims 2 and 49-51 renders moot the rejection of these claims on this ground of indefiniteness.

Additional Comments


The Examiner has indicated, in section 10 on page 5 of the present Office Action, that claims 1 and 48 are allowable. All claims of this application other than claims 1 and 48 have been canceled. Only claims 1 and 48 remain in the application.

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CONCLUSION

Applicants submit that the claims, as amended herein, are in condition for allowance and request an early notice to that effect. In the event that any issue remains regarding this application, the Examiner is respectfully requested to telephone the undersigned attorney of record to determine if such issue may successfully be resolved in a telephone discussion.

Respectfully submitted,

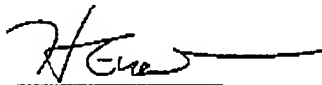


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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office at (571) 273-8300 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on January 26, 2009.

Dated: January 26, 2009



Howard M. Eisenberg